

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

Nathan Louis Lomax,  
Plaintiff,

v.

William Hutchins, *et al.*,  
Defendants.

Case No. 2:23-cv-01284-CDS-EJY

**ORDER**

On August 17, 2023, Plaintiff submitted an incomplete application to proceed *in forma pauperis* (“IFP”) together with a Civil Rights Complaint under 42 U.S.C. § 1983. ECF Nos. 1, 1-1. Plaintiff failed to include a financial certificate and his inmate trust fund account statement for the previous six-month period. Even if Plaintiff has not been at the Nevada Department of Corrections facility a full six-month period, Plaintiff must still submit a financial certificate and his inmate account statement for the dates he has been at the facility. 28 U.S.C. § 1915(a)(2); Local Rule LSR 1-2.

Accordingly, IT IS HEREBY ORDERED that on or before **October 6, 2023**, Plaintiff must either pay the \$402 filing fee for a civil action or file with the Court: (1) a **Financial Certificate** properly signed by both the inmate and a prison or jail official and (2) a copy of Plaintiff’s **inmate’s prison or jail trust fund account statement for the previous six-month period**.

IT IS FURTHER ORDERED that Plaintiff’s failure to either pay the \$402 filing fee or file a financial certificate properly signed by both the inmate and a prison or jail official and a copy of Plaintiff’s inmate prison or jail trust fund account statement for the previous six-month period on or before **October 6, 2023**, will result in a recommendation to dismiss this action **without prejudice**. A dismissal without prejudice allows Plaintiff to file his case with the Court, under a new case number, when he is able to comply with LSR 2-1 and file a complete application to proceed *in forma pauperis* or pay the required filing fee.

1 IT IS FURTHER ORDERED that the Court will retain Plaintiff's Complaint and exhibits  
2 (ECF No. 1-1), but will not file them at this time.

3 IT IS FURTHER ORDERED that the Clerk of the Court must send Plaintiff the approved  
4 form application to proceed *in forma pauperis* for inmate along with the information and instructions  
5 for filing the same.

6 DATED this 6th day of September, 2023.

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8 ELAYNA J. YOUCHAK  
9 UNITED STATES MAGISTRATE JUDGE